

10007788-1

09/976,302

REMARKS

This is a full and timely response to the non-final Official Action mailed June 6, 2006. Reconsideration of the application in light of the following remarks is respectfully requested.

Status of Claims:

Claims 1, 6-10, 13-17, 20 and 21 have been cancelled previously. Consequently, claims 2-5, 11, 12, 18, 19 and 22-33 are currently pending for further action.

Minor amendment has been made to the independent claims in the present paper. These amendments are made solely to clarify the claim language and are not considered necessary to distinguish the claims from the cited prior art. Rather, the amendments made merely render explicit what was already implicit in the claim language and, consequently, do not narrow or change the scope of the claims so amended.

Prior Art -- § 103:

Claims 2-5, 11, 12, 18, 19, 25-27 and 29-33 were rejected under 35 U.S.C. § 103(a) over the combined teachings of U.S. Patent No. 5,579,446 to Naik et al. ("Naik") and U.S. Patent No. 6,559,968 to Keronen ("Keronen"). For at least the following reasons, this rejection is respectfully traversed.

Claim 2 recites:

A printer driver stored on a computer-readable medium comprising:
an interface configured to receive print job data;
a print job formatting routine which notes one or more regions within a print job derived from said print job data and further specifies a particular print quality level at which each such region is then printed;
a WYSIWYG display routine for generating a WYSIWYG display of said print job; and
a user input routine for receiving user input defining said one or more regions within said print job using said WYSIWYG display, *wherein said user input can selectively define any portion of said print job as a said region with an independently-*

10007788-1

09/976,302

specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.
(Emphasis added).

Claim 11 recites:

A method of printing documents comprising printing designated regions within a print job at different print quality levels, said method further comprising:
displaying a WYSIWYG display of said print job; and
receiving user input defining one or more of said regions within said print job using said WYSIWYG display, *wherein said user input can selectively define any portion of said print job as a said region with an independently-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.*
(Emphasis added).

Claim 18 recites:

A computer system comprising:
a host computer;
an interface on said host computer for connecting a printing device to said host computer; and
a printer driver stored on said host computer for formatting print job data from said host computer to a printing device;
wherein said printer driver comprises a print job formatting routine which notes one or more regions within a print job derived from print job data and further specifies a particular print quality level at which each such region is to be printed; and
wherein said print driver further comprises:
a WYSIWYG display routine for generating a WYSIWYG display of a print job; and
a user input routine for receiving user input defining said one or more regions within a print job using said WYSIWYG display, *wherein said user input can selectively define any portion of said print job as a said region with an independently-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.*
(Emphasis added).

Claim 25 recites:

A printer driver stored on a computer-readable medium comprising:
an interface configured to receive print job data;
a user interface with which a user designates one or more specific regions of a print job represented by said print job data; and
a print job formatting routine which notes said one or more regions within said print job and further specifies a particular print quality level at which each such region is then printed,

10007788-1

09/976,302

wherein user input through said user interface can selectively define any portion of said print job as a said region with an independently-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.

(Emphasis added).

Claim 32 recites:

A printer driver stored on a computer-readable medium comprising:
an interface configured to receive print job data;
a print job formatting routine which notes one or more regions within a print job derived from said print job data and further specifies a particular print quality level at which each such region is then printed;
a display routine for generating a display of said print job; and
a user input routine for receiving user input defining said one or more regions within said print job using said display, wherein said user input can selectively define any portion of said print job as a said region with an independently-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.

(Emphasis added).

Claim 33 recites:

A method of printing documents comprising printing designated regions within a print job at different print quality levels, said method further comprising:
displaying a display of said print job; and
receiving user input defining one or more of said regions within said print job using said display, wherein said user input can selectively define any portion of said print job as a said region with an independently-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.

(Emphasis added).

In contrast, no cited prior art reference teaches or suggests a print driver, system or method in which a user can specify different print quality levels for different *user-defined* regions of a print job.

The recent Office Action concedes that Naik does not teach “a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print

10007788-1

09/976,302

job as a said region with a specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.” (Action of 6/6/06, p. 3). Consequently, the Office Action proposes to combine the teachings of Naik with those of Keronen. However, Keronen does not teach or suggest a system in which user can specify a print quality level for different *user-defined* regions of a print job either.

Keronen teaches a system in which different regions of a document are identified by different circular patterns that are printed underneath the content of that document region. (Keronen, col. 4, lines 60-66). If the document is then scanned or copied, the different regions will be recognized because of the circular patterns. A user can then chose to copy or not copy selected regions. (Keronen, col. 4, lines 20-28). However, Keronen does not teach or suggest anything about specifying a print quality level in connection with different regions of a print job as claimed.

Consequently, Keronen cannot remedy the deficiencies of Naik. Neither reference teaches or suggests a method or system in which a user can specify different print quality levels for different *user-defined* regions of a print job. Neither reference teaches or suggests the claimed “user input routine ... wherein said user input can selectively define any portion of said print job as a said region *with an independently-specified print quality level*, said regions including or excluding any particular element or elements of said print job as desired by a user.” (Emphasis added).

Additionally, Keronen and Naik do not clearly teach a system or method in which a user can “selectively define any portion of said print job as a said region ... including or excluding any particular element or elements of said print job as desired by a user.” As has been demonstrated previously, Naik at Fig. 5 teaches that text, graphics and photos are recognized by the system and may be printed using different techniques. Naik implies that

10007788-1

09/976,302

these elements are automatically recognized by the system and then printed accordingly. (Naik, col. 5, lines 26-29). Naik never teaches or suggests that a user input routine receives user input that defines one or more regions within a print job as desired by a user.

Similarly, Keronen does not clearly teach or suggest a system in which a user can selectively define any portion of a print job as a "region." In some embodiments, Keronen teaches working with pre-printed forms that are already divided into "pre-assigned" regions. (Keronen, col. 4, lines 8-24). In other embodiments, the circular patterns defining different regions are printed onto the document along with document content. According to Keronen, "the method may use plain paper, and instead of scanning the paper, the method prints the unique patterns for each of the regions in addition to the entered text and/or graphics for those regions. Initially, *an image is displayed of the sheet and its regions*. The user then enters in WYSIWYG manner the desired text and/or graphics in the chosen regions. The image containing the text and/or graphics is then combined with an image of the patterns (or barcode) in a known manner, prior to the printing step." (Keronen, col. 6, lines 58-67) (emphasis added).

There is no teaching here that the "regions" can be defined by user input as recited in the claims. Rather, it appears that the sheet and its regions are pre-determined and displayed before the user enters any input. Keronen does not appear to actually teach that "user input can selectively define any portion of said print job as a said region ... including or excluding any particular element or elements of said print job as desired by a user." Moreover, the recent Office Action fails to demonstrate how or where Keronen clearly teaches such subject matter.

In sum, the combination of Naik and Keronen clearly fails to teach or suggest a system or method in which user input selectively defines any portion of a print job as a region with

10007788-1

09/976,302

an independently-specified print quality level. Neither reference teaches this subject matter. Additionally, neither reference appears to teach a system or method in which user input selectively defines any portion of print job as a region "including or excluding any particular element or elements of said print job as desired by a user."

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, for at least this reason, the rejection of claims 2, 11, 18 and 25 and their respective dependent claims based on a combination of Naik and Keronen should be reconsidered and withdrawn.

In addition, various dependent claims of the application recite subject matter that is clearly further patentable over the cited prior art. Specific examples follow.

Claim 5 recites:

The printer driver of claim 4, wherein said user input routine is configured to display movement of a cursor on said WYSIWYG display in response to physical movement of said mouse, said *movement of said cursor being used by said user input routine to define said one or more regions within said print job.* (emphasis added).

Claim 12 similarly recites: "The method of claim 11, further comprising specifying said one or more regions within said print job by moving a cursor driven by a mouse over said WYSIWYG display."

In this regard, the Office Action refers to Keronen at col. 6, lines 41-44. (Action of 6/6/06, p. 5). However, this portion of Keronen describes working with a pre-printed form on which regions have already been defined for the user. According to Keronen as cited, "*a specially prepared sheet of paper, such as one shown in FIG. 1A* is fed into and scanned by a

10007788-1

09/976,302

scanner. In step 506, the scanned image is displayed on a video monitor. In step 508, the user selects one or more region(s) of the displayed image via input means and enters text and/or graphics via a keyboard or other means.” (Keronen, col. 6, lines 41-44) (emphasis added). Consequently, this portion of Keronen merely teaches working with a pre-printed form on which regions have already been drawn for a user. There is no teaching here of the claimed use of a mouse with a user input routine to define regions within a print job.

For at least these additional reasons, the rejection of claims 5 and 12 should be reconsidered and withdrawn.

Claim 29 recites “wherein said print job formatting routine prompts a user to input a print quality level setting for at least one of said regions.” Claims 30 and 31 recite similar subject matter.

In this regard, the recent Office Action refers, without supporting explanation, to Figs. 2 and 5 of Naik. (Action of 6/6/06, p. 11). Applicant has reviewed these figures and finds no teaching or suggest of a print job formatting routine that prompts a user to input a print quality level setting for a region of a print job. Consequently, some explanation of how Naik teaches this subject matter should be provided on the record or the rejection of claims 29-31 reconsidered and withdrawn.

Claims 22-24 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combined teachings of Naik, Keronen and U.S. Patent No. 6,107,113 to Nicoloff Jr., et al. (“Nicoloff”). This rejection is respectfully traversed for at least the same reasons given above with respect to the independent claims from which these claims respectively depend.

10007788-1

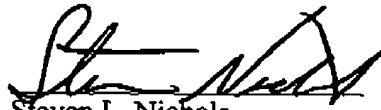
09/976,302

Conclusion:

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: September 6, 2006

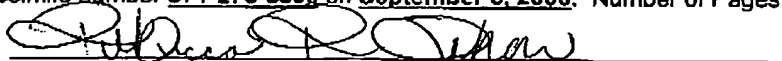

Steven L. Nichols
Registration No. 40,326

Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, UT 84095

(801) 572-8066
(801) 572-7666 (fax)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number **571-273-8300** on **September 6, 2006**. Number of Pages: **18**


Rebecca R. Schow